

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MONICA SAMPLE	:	CIVIL ACTION
	:	NO. 12-3188
v.	:	
	:	
KEYSTONE MERCY HEALTH PLAN	:	
	:	

ORDER

AND NOW, this 5th day of November, 2012, upon consideration of defendant Keystone Mercy Health Plan's motion to dismiss plaintiff Monica Sample's amended complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure and/or to strike certain allegations pursuant to Rule 12(b)(2) and plaintiff Monica Sample's response thereto, it is ORDERED that defendant's motion to strike is GRANTED to the extent that it seeks to strike plaintiff's claim for punitive damages pursuant to the PHRA. Defendant's motion is DENIED in all other respects.

It is further ORDERED that on or before November 28, 2012 Keystone Mercy Health Plan shall file an answer to plaintiff's complaint as modified by the terms of this Order and the parties shall agree to a discovery schedule and submit same to the Court for approval.

s/Thomas N. O'Neill, Jr.
THOMAS N. O'NEILL, JR., J.